



**VIRTUAL/TELECONFERENCE
PHARMACY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison, WI
Contact: Christine Poleski (608) 266-2112
March 4, 2021**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.

AGENDA

11:00 A.M.

(OR IMMEDIATELY FOLLOWING THE PHARMACY RULES COMMITTEE)

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of January 28, 2021 (5-15)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. 11:00 A.M. PUBLIC HEARING: Emergency Rule EmR 2105 (Phar 2), Relating to Endorsement Licensure (16-21)**
- E. 11:00 A.M. PUBLIC HEARING: Emergency Rule EmR 2102 (Phar 15), Relating to Re-Use of Personal Protective Equipment (22-26)**
- F. Introductions, Announcements and Recognition
- G. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
- H. Legislative and Policy Matters – Discussion and Consideration**
- I. Administrative Rule Matters – Discussion and Consideration (27-30)**
 - 1) Pending or Possible Rulemaking Projects
 - a. Update on Rule Projects
- J. Public Agenda Request: Memorandum of Understanding Addressing Certain Distributions of Compounded Drug Products Between the State Boards of Pharmacy and the U.S. Food and Drug Administration – Discussion and Consideration**

K. Variances – Discussion and Consideration

- 1) Review, Discussion and Consideration of All Current Variances
- 2) Review, Discussion and Consideration of Any Proposed Variances
- 3) Variance Requests Received After Preparation of the Agenda

L. Education and Examination Matters – Discussion and Consideration

- 1) Multistate Pharmacy Jurisprudence Examination (MPJE) Update

M. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration

- 1) Speaking Engagement Request: Pharmacy Society of Wisconsin (PSW) Virtual Event – Month of Advocacy-Pharmacy Examining Board Update - March 17, 2021 **(31)**
- 2) Travel Report: PSW Virtual Event – Month of Advocacy-Immunization Delivery for Pharmacists – February 17, 2021 – Tiffany O’Hagan, Phillip Trapskin, John Weitekamp
- 3) National Association of Boards of Pharmacy (NABP)/American Association of Colleges of Pharmacy (AACP) District IV – 2022 Annual Meeting Planning

N. COVID-19 – Discussion and Consideration

O. Pilot Program Matters – Discussion and Consideration

P. Discussion and Consideration on Items Added After Preparation of Agenda

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Legislative and Policy Matters
- 11) Administrative Rule Matters
- 12) Pilot Program Matters
- 13) Variances
- 14) Liaison Reports
- 15) Board Liaison Training and Appointment of Mentors
- 16) Informational Items
- 17) Division of Legal Services and Compliance (DLSC) Matters
- 18) Presentations of Petitions for Summary Suspension
- 19) Petitions for Designation of Hearing Examiner
- 20) Presentation of Stipulations, Final Decisions and Orders
- 21) Presentation of Proposed Final Decisions and Orders
- 22) Presentation of Interim Orders
- 23) Pilot Program Matters
- 24) Petitions for Re-Hearing
- 25) Petitions for Assessments
- 26) Petitions to Vacate Orders
- 27) Requests for Disciplinary Proceeding Presentations
- 28) Motions
- 29) Petitions

- 30) Appearances from Requests Received or Renewed
- 31) Speaking Engagements, Travel, or Public Relation Requests, and Reports

Q. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

R. Deliberation on Division of Legal Services and Compliance Matters

1) Case Closings

- a. 19 PHM 020 – G.P., L.R.C. **(32-37)**
- b. 19 PHM 022 – O.O.M. **(38-56)**
- c. 19 PHM 026 – W. **(57-63)**
- d. 19 PHM 068 – H.P., P.K. **(64-69)**
- e. 19 PHM 111 – J.M.P. **(70-88)**
- f. 19 PHM 130 – T.D., P.S. **(89-94)**
- g. 19 PHM 154 – T.P.A. **(95-100)**
- h. 19 PHM 171 – I.C.S. **(101-108)**
- i. 19 PHM 229 – R.P. **(109-113)**
- j. 19 PHM 230 – R.M.P. **(114-118)**
- k. 19 PHM 238 – S.I. **(119-122)**
- l. 19 PHM 241 – Z.P. **(123-127)**
- m. 19 PHM 251 – S.P. **(128-132)**
- n. 19 PHM 252 – S.P. **(133-137)**
- o. 19 PHM 253 – S.P.P. **(138-142)**
- p. 19 PHM 256 – T.P. **(143-147)**
- q. 19 PHM 260 – G.S.P.A.C. **(148-151)**
- r. 20 PHM 011 – A.P. **(152-155)**

2) Proposed Stipulations, Final Decisions, and Orders

- a. 19 PHM 026 – Carl D. Below, R.Ph. **(156-161)**
- b. 19 PHM 056 – Henry Ford Pharmacy Advantage **(162-167)**
- c. 19 PHM 111 and 19 PHM 279 – Omnicare of Milwaukee **(168-176)**
- d. 20 PHM 179 and 21 PHM 002 – Steven R. Brandenburg, R.Ph. **(177-182)**

S. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) Application Reviews
- 4) DLSC Matters
- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters
- 7) Petitions for Summary Suspensions
- 8) Petitions for Designation of Hearing Examiner
- 9) Proposed Stipulations, Final Decisions and Orders
- 10) Proposed Interim Orders

- 11) Administrative Warnings
- 12) Review of Administrative Warnings
- 13) Proposed Final Decisions and Orders
- 14) Matters Relating to Costs/Orders Fixing Costs
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-Hearing
- 22) Appearances from Requests Received or Renewed

T. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

U. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

V. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: APRIL 29, 2021

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
PHARMACY EXAMINING BOARD
MEETING MINUTES
JANUARY 28, 2021**

PRESENT: Tiffany O’Hagan, Anthony Peterangelo, Philip Trapskin, John Weitekamp, Cathy Winters, Michael Walsh, Shana Weiss (*arrived at 11:05 a.m., excused at 12:45 p.m.*)

STAFF: Christine Poleski, Executive Director; Jameson Whitney, Legal Counsel; Kassandra Walbrun, Administrative Rules Coordinator; Kimberly Wood, Program Assistant Supervisor-Advanced; and other Department staff

CALL TO ORDER

Philip Trapskin, Chairperson, called the meeting to order at 11:00 a.m. A quorum was confirmed with six (6) members present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- Open Session – **REMOVE:** “M. Pilot Program Matters; 1) Final Checks in Community Pharmacies”

MOTION: Cathy Winters moved, seconded by Michael Walsh, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

December 3, 2020

MOTION: Cathy Winters moved, seconded by Anthony Peterangelo, to approve the Minutes of December 3, 2020 as published. Motion carried unanimously.

January 13, 2021

MOTION: Cathy Winters moved, seconded by Anthony Peterangelo, to approve the Minutes of January 13, 2021 as published. Motion carried unanimously.

(Shana Weiss joined the meeting at 11:05 a.m.)

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Cathy Winters nominated Tiffany O’Hagan for the Office of Chairperson. Tiffany O’Hagan accepted the nomination.

NOMINATION: John Weitekamp nominated himself for the Office of Chairperson.

Christine Poleski, Executive Director, called for nominations three (3) times.

John Weitekamp was elected as Chairperson by majority blind ballot vote.

Vice Chairperson

NOMINATION: Michael Walsh nominated Tiffany O’Hagan for the Office of Vice Chairperson. Tiffany O’Hagan accepted the nomination.

Christine Poleski, Executive Director, called for nominations three (3) times.

Tiffany O’Hagan was elected as Vice Chairperson by unanimous voice vote.

Secretary

NOMINATION: Tiffany O’Hagan nominated Cathy Winters for the Office of Secretary. Cathy Winters accepted the nomination.

Christine Poleski, Executive Director, called for nominations three (3) times.

Cathy Winters was elected as Secretary by unanimous voice vote.

| ELECTION RESULTS | |
|-------------------------|-----------------|
| Chairperson | John Weitekamp |
| Vice Chairperson | Tiffany O’Hagan |
| Secretary | Cathy Winters |

Appointment of Liaisons and Alternates

| LIAISON APPOINTMENTS | |
|---|--|
| Credentialing Liaison(s) | Anthony Peterangelo, Tiffany O’Hagan, Philip Trapskin |
| Office of Education and Examinations Liaison(s) | Cathy Winters <i>Alternate:</i> John Weitekamp |
| Monitoring Liaison(s) | Shana Weiss <i>Alternate:</i> Cathy Winters |
| Professional Assistance Procedure (PAP) Liaison(s) | Philip Trapskin <i>Alternate:</i> Anthony Peterangelo |
| Travel Liaison | Chairperson <i>Alternate:</i> Vice Chairperson |

| | |
|--|---|
| Legislative Liaison(s) | Cathy Winters, Anthony Peterangelo, Tiffany O’Hagan, John Weitekamp |
| Pilot Program Liaison(s) | Tiffany O’Hagan, Anthony Peterangelo |
| Newsletter Liaison(s) | John Weitekamp <i>Alternate:</i> Cathy Winters |
| Website Liaison(s) | Philip Trapskin, Michael Walsh |
| Appointed to Controlled Substances Board as per Wis. Stats. §15.405(5g) | John Weitekamp |
| PHARM Rep to SCAODA | Anthony Peterangelo <i>Alternate:</i> John Weitekamp |
| Variance Liaison | Tiffany O’Hagan <i>Alternate:</i> Anthony Peterangelo |
| SCREENING PANEL APPOINTMENTS | |
| January – December 2021 | John Weitekamp, Tiffany O’Hagan, Michael Walsh <i>Alternate:</i> Anthony Peterangelo |
| COMMITTEE MEMBER APPOINTMENTS | |
| Pharmacy Rules Committee | Cathy Winters, Philip Trapskin, John Weitekamp |

Delegation of Authorities

Document Signature Delegations

MOTION: Anthony Peterangelo moved, seconded by Michael Walsh, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Tiffany O’Hagan, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings.

The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Tiffany O’Hagan moved, seconded by Michael Walsh, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to of Loss of Quorum

NEW MOTION: Philip Trapskin moved, seconded by Michael Walsh, to delegate the review of disciplinary cases to the Department’s Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Philip Trapskin moved, seconded by Michael Walsh, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the January 28, 2021 agenda materials on pages 21-22. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate to Board legal counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Cathy Winters moved, seconded by Philip Trapskin, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Philip Trapskin moved, seconded by Anthony Peterangelo, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate authority to Department Attorneys to review and approve applications with municipal/ordinance violations and misdemeanors which are not substantially related to the practice of pharmacy. Motion carried unanimously.

Delegation to DSPS When Applicant's History Has Been Previously Reviewed

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous pharmacy credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority for Reciprocity/Endorsement Reviews

MOTION: Philip Trapskin moved, seconded by Michael Walsh, to delegate authority to the Department Attorneys to review and approve reciprocity/endorsement applications in which the applicant met requirements comparable to those that existed in this state at the time the person became licensed in the other state. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Michael Walsh moved, seconded by Tiffany O'Hagan, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Pre-Screening Delegation to Open Cases

MOTION: Philip Trapskin moved, seconded by Michael Walsh, to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.

3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

Pre-Screening Delegation to Close Cases

MOTION: Philip Trapskin moved, seconded by Tiffany O'Hagan, to delegate pre-screening decision making authority to the DSPS screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.
3. To close at prescreening complaints that the Board has already reviewed and acted upon that are the result of multiple-state discipline based on original violations.

Motion carried unanimously.

Voluntary Surrenders

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

(Shana Weiss was excused at 12:45 p.m.)

Office of Education and Examination Liaison(s) Delegation

MOTION: Cathy Winters moved, seconded by Michael Walsh, to delegate authority to the Office of Education and Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

Pilot Program Liaison(s) Delegation

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate authority to the Pilot Program Liaison(s) to address all issues related to pilot program matters. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Philip Trapskin moved, seconded by Michael Walsh, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Philip Trapskin moved, seconded by Cathy, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Rules Committee Delegation

MOTION: Michael Walsh moved, seconded by Tiffany O'Hagan, to grant the Rules Committee the ability to address all rulemaking as related to drafting and making recommendations to the full Board. Motion carried unanimously.

Legislative Liaison(s) Delegation

MOTION: Philip Trapskin moved, seconded by Michael Walsh, to delegate authority to the Legislative Liaison(s) to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Website Liaison(s) Delegation

MOTION: Cathy Winters moved, seconded by Michael Walsh, to delegate authority to the Website Liaison(s) to act on behalf of the Board regarding website updates. Motion carried unanimously.

Travel Liaison(s) Delegation

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate authority to the Travel Liaison(s) to approve any board member travel. Motion carried unanimously.

Variance Liaison(s) Delegation

MOTION: Philip Trapskin moved, seconded by Cathy Winters, to delegate to the Variance Liaison(s) the Board's authority to approve, rescind, and modify variances under §450.02(3m). Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Pending or Possible Rulemaking Projects

Phar 2 (Emergency and Permanent Rules)

MOTION: Cathy Winters moved, seconded by Michael Walsh, to accept the recommendation of the Pharmacy Examining Board Rules Committee, and requests DSPTS staff draft a Scope Statement revising Phar 2, relating to Endorsement Licensure. Motion carried unanimously.

PUBLIC AGENDA REQUEST: MEMORANDUM OF UNDERSTANDING ADDRESSING CERTAIN DISTRIBUTIONS OF COMPOUNDED DRUG PRODUCTS BETWEEN THE STATE BOARDS OF PHARMACY AND THE U.S. FOOD AND DRUG ADMINISTRATION

MOTION: Philip Trapskin moved, seconded by Cathy Winters, for DSPTS Staff to investigate how information could be shared by the FDA, NABP, and interested members of the public, with designees from relevant Boards, Departments, and Legislative Representatives to help the State of Wisconsin make a decision related to the FDA memorandum of understanding addressing certain distributions of compounded drug products. Motion carried unanimously.

VARIANCES

Review, Discussion and Consideration of Any Proposed Variances

Pharmacy Society of Wisconsin Request for Variance to Supervision Requirements for Pharmacy Students

MOTION: Tiffany O'Hagan moved, seconded by Anthony Peterangelo, to request that DSPTS staff draft a variance to § 450.035(2g) as requested by the Pharmacy Society of Wisconsin, except that the supervising provider's practice must include unsupervised vaccine administration. The Board finds that the requirements of § 450.02(3m) have been met. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND REPORTS

MOTION: Cathy Winters moved, seconded by Michael Walsh, to designate John Weitekamp, Tiffany O'Hagan, Philip Trapskin to speak on the Board's behalf virtually during the Pharmacy Society of Wisconsin Month of Advocacy on Wednesday, February 17, 2021. Motion carried unanimously.

CLOSED SESSION

MOTION: Michael Walsh moved, seconded by Cathy Winters, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel

(s. 19.85(1)(g), Stats.). John Weitekamp, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Tiffany O'Hagan-yes, Anthony Peterangelo-yes; Philip Trapskin-yes; Michael Walsh-yes; John Weitekamp-yes; and Cathy Winters-yes. Motion carried unanimously.

The Board convened into Closed Session at 3:27 p.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Case Closings

- MOTION:** Philip Trapskin moved, seconded by Michael Walsh, to close the following DLSC Cases for the reasons outlined below:
- a. 18 PHM 162 – G.P.W. – No Violation/P.P.: Prosecutorial Discretion (P5)
 - b. 19 PHM 046 – R.R.V.P. – Prosecutorial Discretion (P2)
 - c. 19 PHM 081 – I.N.L. – Prosecutorial Discretion (P2)
 - d. 19 PHM 083 – F.S.S.P. – No Violation
 - e. 19 PHM 135 – M.L. – Prosecutorial Discretion (P2)
 - f. 19 PHM 304 – H.I. – No Violation
- Motion carried unanimously.

19 PHM 160 – A.S.L.M.C.

- MOTION:** Philip Trapskin moved, seconded by Cathy Winters, to close DLSC Case Number 19 PHM 160, against A.S.L.M.C., for No Violation. Motion carried. Abstained: John Weitekamp

19 PHM 175 – W.

- MOTION:** Philip Trapskin moved, seconded by Cathy Winters, to close DLSC Case Number 19 PHM 175, against W., for Prosecutorial Discretion (P2). Motion carried.

(Tiffany O'Hagan recused herself and left the room for deliberation and voting in the matter concerning W., DLSC Case Number 19 PHM 175.)

20 PHM 046 – C.H.O.H., C.P.

- MOTION:** Cathy Winters moved, seconded by Michael Walsh, to close DLSC Case Number 20 PHM 046, against C.H.O.H. and C.P. for No Violation. Motion carried unanimously.

(Tiffany O'Hagan recused herself and left the room for deliberation and voting in the matter concerning C.H.O.H. and C.P., DLSC Case Number 20 PHM 046.)

Administrative Warnings

MOTION: Philip Trapskin moved, seconded by Anthony Peterangelo, to issue an Administrative Warning in the matter of the following cases:

- a. 20 PHM 046 – J.L.H.
- b. 20 PHM 132 – E.J.T.

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Philip Trapskin moved, seconded by Anthony Peterangelo, to adopt the Findings of Fact, Conclusions of Laws and Orders in the matter of the following cases.

- a. 17 PHM 152 – Wells Pharmacy Network, LLC
- b. 18 PHM 170 – Cynthia R. Hennen, R.Ph.
- c. 19 PHM 017 – Guardian Pharmacy of Wisconsin
- d. 20 PHM 065 – Andrew J. Seidlitz, R.Ph.

Motion carried unanimously.

Monitoring Matters

Kevin Litten, R.Ph. – Requesting Full Licensure

MOTION: Philip Trapskin moved, seconded by Anthony Peterangelo, to deny the request of Kevin Litten, R.Ph., for full licensure. **Reason for Denial:** Insufficient time under the Board Order (12/17/2019) to demonstrate adequate compliance. Motion carried unanimously.

DELIBERATION ON PROPOSED FINAL DECISIONS AND ORDERS

Jennifer Reithmeyer, R.Ph., Respondent (DHA Case Number SPS-20-0027/DLSC Case Number 18 PHM 180)

MOTION: Michael Walsh moved, seconded by Anthony Peterangelo, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Jennifer Reithmeyer, R.Ph., Respondent (DHA Case Number SPS-20-0027/DLSC Case Number 18 PHM 180). Motion carried unanimously.

(Philip Trapskin recused himself and left the room for deliberation and voting in the matter concerning Jennifer Reithmeyer, R.Ph., Respondent (DHA Case Number SPS-20-0027/DLSC Case Number 18 PHM 180)).

RECONVENE TO OPEN SESSION

MOTION: Cathy Winters moved, seconded by Michael Walsh, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 4:21 p.m.

(Philip Trapskin reconnected at 4:21 p.m.)

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Cathy Winters moved, seconded by Anthony Peterangelo, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Cathy Winters moved, seconded by Anthony Peterangelo, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:22 p.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | | | | | | | | | |
|---|--|---|--|--------------------------|------------------|---|------|--------------------------|------|--|--|
| 1) Name and title of person submitting the request: Cassandra Walbrun | | 2) Date when request submitted: 2/17/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | | | | | | | | | |
| 3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board | | | | | | | | | | | |
| 4) Meeting Date: 3/4/2021 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Public Hearing: 1) Emergency Rule EmR 2105 (Phar 2), Relating to Endorsement Licensure | | | | | | | | | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required: | | | | | | | | | |
| 10) Describe the issue and action that should be addressed: 1) EmR 2105 (pdf) 2) EmR 2102 (pdf) | | | | | | | | | | | |
| 11) Authorization <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; border-bottom: 1px solid black;"><i>Kassandra Walbrun</i></td> <td style="width: 30%; border-bottom: 1px solid black; text-align: right;"><i>2/17/2021</i></td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="2" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date</td> </tr> </table> | | | | <i>Kassandra Walbrun</i> | <i>2/17/2021</i> | Signature of person making this request | Date | Supervisor (if required) | Date | Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date | |
| <i>Kassandra Walbrun</i> | <i>2/17/2021</i> | | | | | | | | | | |
| Signature of person making this request | Date | | | | | | | | | | |
| Supervisor (if required) | Date | | | | | | | | | | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date | | | | | | | | | | | |

CERTIFICATE

**STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES**

I, Dale Kleven, Administrative Rules Coordinator, Wisconsin Department of Safety and Professional Services and custodian of the official records of the Pharmacy Examining Board, do hereby certify that the annexed emergency rules relating to endorsement requirements for pharmacists have been duly approved and adopted by the Pharmacy Examining Board.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 21st day of January, 2021.

Dale Kleven

*Dale Kleven, Administrative Rules Coordinator
Division of Policy Development
Department of Safety & Professional Services*

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULEMAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : PHARMACY EXAMINING BOARD
PHARMACY EXAMINING BOARD : ADOPTING EMERGENCY RULES

The statement of scope for this rule, SS 135-20, was approved by the Governor on October 16, 2020, published in Register 778A3 on October 19, 2020, and approved by the Pharmacy Examining Board on December 3, 2020.

This emergency rule was approved by the Governor on January 14, 2021.

ORDER

An order of the Pharmacy Examining Board to repeal Phar 2.05 (3), relating to endorsement requirements for pharmacists.

Analysis prepared by the Department of Safety and Professional Services.

FINDING OF EMERGENCY

The Pharmacy Examining Board finds that an emergency exists and that this rule is necessary for the immediate preservation of the public peace, health, safety, or welfare. A statement of facts constituting the emergency is:

On March 25, 2020, the Pharmacy Examining Board granted a variance of s. 450.03 (1), Stats., pursuant to s. 450.02 (3m) (b), Stats., to allow pharmacists who are licensed in good standing in other states, United States territories and the District of Columbia to practice pharmacy in the state of Wisconsin without a Wisconsin license. The purpose of the variance was to compensate for a shortage of pharmacy staff during the pandemic. The variance was in effect for 90 days. Subsequently, the provisions of the variance were superseded by Emergency Order #16 and it was rescinded on April 3, 2020. Then 2019 Act 185 was signed into law which expired on June 10, 2020. On June 4, 2020, the Board reviewed and reissued the variance until August 1, 2020. On July 23, 2020, the Pharmacy Board determined that the requirements of s. 450.02 (3m) (b), Stats., were met and extended the variance for another 90 days.

The Pharmacy Examining Board has received information from stakeholders that there remains a shortage of pharmacy staff and an inability to receive a license due to the impact the pandemic has had on the availability of the multi-state pharmacy jurisprudence examination. The Board determines that the preservation of the public health and safety necessitates an emergency rule to temporarily suspend the requirement that applicants who hold a license in another state take the multi-state pharmacy jurisprudence examination with Wisconsin as primary state.

ANALYSIS

Statutes interpreted: Section 450.05, Stats.

Statutory authority: Sections 15.08 (5) (b) and 450.02 (2) and (3) (d) and (e), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that each examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

Section 450.02 (2), Stats., provides that the Board shall adopt rules defining the active practice of pharmacy. The rules shall apply to all applicants for licensure under s. 450.05, Stats.

Section 450.02 (3) (d) and (e), Stats., provide the Board may promulgate rules necessary for the administration and enforcement of this chapter and ch. 961 and establishing minimum standards for the practice of pharmacy.

Related statutes or rules:

Section 450.05, Stats., specifies the requirements for licensure as a pharmacist on the basis of licensure as a pharmacist in another state.

Plain language analysis:

The emergency rule temporarily suspends the requirement that applicants for a pharmacist license who hold a license in another state take the multi-state pharmacy jurisprudence examination.

Summary of, and comparison with, existing or proposed federal statutes and regulations:

None.

Comparison with rules in adjacent states:**Illinois:**

Rules of the Illinois Department of Financial and Professional Regulation specify the licensure requirements for an applicant who is currently licensed as a pharmacist under the laws of another U.S. jurisdiction or another country (68 Ill. Adm. Code 1330.350). The requirements include successful passage of the Illinois multi-state pharmacy jurisprudence examination.

Iowa:

Rules of the Iowa Board of Pharmacy specify the requirements for an applicant for license transfer who is currently licensed as a pharmacist in another state or territory of the United States (657 IAC 2.9). The requirements include successful completion of the multi-state pharmacy jurisprudence examination, Iowa edition.

Michigan:

Rules of the Michigan Board of Pharmacy specify the requirements for an applicant for licensure by endorsement (Mich Admin Code, R 338.475). The requirements include successful completion of the Michigan multi-state pharmacy jurisprudence examination.

Minnesota:

Rules of the Minnesota Board of Pharmacy specify the requirements for an applicant for licensure as a pharmacist on the basis of licensure as a pharmacist in another state (Minnesota Rules, part 6800.1300). The requirements include successful completion of the Minnesota version of the multi-state pharmacy jurisprudence examination.

Summary of factual data and analytical methodologies:

The Pharmacy Examining Board has received information from stakeholders that there remains a shortage of pharmacy staff and an inability to receive a license due to the impact the pandemic has had on the availability of the multi-state pharmacy jurisprudence examination. The Board determined that the preservation of public health and safety necessitates an emergency rule to temporarily suspend the requirement that applicants for a pharmacist license who hold a license in another state take the multi-state pharmacy jurisprudence examination.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

As the emergency rule temporarily suspends the requirement that applicants for a pharmacist license who hold a license in another state take the multi-state pharmacy jurisprudence examination, there is no anticipated effect on small business.

Fiscal estimate:

The emergency rule will not have a fiscal impact.

Effect on small business:

The emergency rule does not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone (608) 261-4472; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be submitted by the date and time at which the public hearing on this emergency rule is conducted. Information as to the place, date, and time of the public hearing will be published on the Legislature’s website and in the Wisconsin Administrative Register.

TEXT OF RULE

SECTION 1. Phar 2.05 (3) is repealed.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect upon publication in the official state newspaper, pursuant to s. 227.22 (2) (c), Stats.

(END OF TEXT OF RULE)

Dated January 21, 2021

Agency 

Chairperson
Pharmacy Examining Board

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|--|--|---|--|
| 1) Name and title of person submitting the request: Cassandra Walbrun | | 2) Date when request submitted: 2/17/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | |
| 3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board | | | |
| 4) Meeting Date: 3/4/2021 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Public Hearing: 2) Emergency Rule EmR 2102 (Phar 15), Relating to Re-Use of Personal Protective Equipment | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required: | |
| 10) Describe the issue and action that should be addressed: 1) EmR 2105 (pdf) 2) EmR 2102 (pdf) | | | |
| 11) Authorization | | | |
| <i>Kassandra Walbrun</i> | | <i>2/17/2021</i> | |
| Signature of person making this request | | Date | |
| Supervisor (if required) | | Date | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) | | | |
| Date | | | |

STATE OF WISCONSIN
PHARMACY EXAMINING BOARD

IN THE MATTER OF RULEMAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : PHARMACY EXAMINING BOARD
PHARMACY EXAMINING BOARD : ADOPTING EMERGENCY RULES

The statement of scope for this rule, SS 136-20, was approved by the Governor on October 16, 2020, published in Register 778A3 on October 19, 2020, and approved by the Pharmacy Examining Board on December 3, 2020.

This emergency rule was approved by the Governor on December 23, 2020.

ORDER

An order of the Pharmacy Examining Board to amend Phar 15.32 (5), relating to re-use of personal protective equipment.

Analysis prepared by the Department of Safety and Professional Services.

FINDING OF EMERGENCY

The Pharmacy Examining Board finds that an emergency exists and that this rule is necessary for the immediate preservation of the public peace, health, safety, or welfare. A statement of facts constituting the emergency is:

On March 17, 2020, the Pharmacy Examining Board granted a variance of s. Phar 15.32 (5), pursuant to s. 450.02 (3m) (b), Stats., to allow pharmacists and compounding personnel to re-use personal protective equipment subject to the pharmacist's professional judgment regarding the condition of the equipment and suitability for re-use. The purpose of the request was to compensate for a shortage of PPE during the COVID-19 emergency. The variance was in effect for 90 days. On July 23, 2020 the Board determined that the requirements of s. 450.02 (3m) (b), Stats. have been met and extended the variance for another 90 days.

The Pharmacy Examining Board recognizes that there remains a shortage of professional personal protective equipment. The Board determines that the preservation of the public health and safety necessitates an emergency rule to allow for compounding personnel to be able to use the pharmacist's professional judgment regarding the condition of the equipment and its suitability for re-use. Without an emergency rule, the ability to compound pharmaceuticals will be impacted resulting in patients not receiving their medications.

ANALYSIS

Statutes interpreted: None.

Statutory authority: Sections 15.08 (5) (b) and 450.02 (3) (e), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that each examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

Section 450.02 (3) (e), Stats., provides the Board may promulgate rules establishing minimum standards for the practice of pharmacy.

Related statutes or rules:

Chapter Phar 7 provides standards for the practice of pharmacy.

Plain language analysis:

The emergency rule allows compounding personnel to use the pharmacist's professional judgment regarding the condition of personal protective equipment and its suitability for re-use.

Summary of, and comparison with, existing or proposed federal statutes and regulations:

None.

Comparison with rules in adjacent states:**Illinois:**

Rules of the Illinois Department of Financial and Professional Regulation specify the standards for pharmaceutical compounding (68 Ill. Adm. Code 1330.640). The standards, including standards for the re-use of personal protective equipment, are as set forth in the 2019 edition of the U.S. Pharmacopeia (USP) Compounding Compendium. On May 6, 2020, the USP added recommendations to its standards to, in response to stakeholder input, allow reuse of certain garb or personal protective equipment (*USP Response to Shortages of Garb and Personal Protective Equipment (PPE) for Low- and Medium-Risk Sterile Compounding During COVID-19 Pandemic*).

Iowa:

Rules of the Iowa Board of Pharmacy specify the standards for sterile pharmaceutical compounding (657 IAC 20.4). The standards, including standards for the re-use of personal protective equipment, are as set forth in the current revision of the U.S. Pharmacopeia (USP) Chapter 797 standards. On May 6, 2020, the USP added recommendations to its standards to, in response to stakeholder input, allow reuse of certain garb or personal protective equipment (*USP Response to Shortages of Garb and Personal Protective Equipment (PPE) for Low- and Medium-Risk Sterile Compounding During COVID-19 Pandemic*).

Michigan:

Michigan law requires a pharmacy that provides compounding services to be licensed as a pharmacy and authorized to provide compounding services (MCL 333.17748a). The pharmacy must be accredited by the Pharmacy Compounding Accreditation Board and be in compliance with U.S. Pharmacopeia standards. On May 6, 2020, the USP added recommendations to its standards to, in response to stakeholder input, allow reuse of certain garb or personal protective equipment (*USP Response to Shortages of Garb and Personal Protective Equipment (PPE) for Low- and Medium-Risk Sterile Compounding During COVID-19 Pandemic*).

Minnesota:

Rules of the Minnesota Board of Pharmacy require pharmacies compounding sterile drug preparations to follow United States Pharmacopeia, chapter 797 standards, including standards for the re-use of personal protective equipment (Minnesota Rules, part 6800.3300). On May 6, 2020, the USP added recommendations to its standards to, in response to stakeholder input, allow reuse of certain garb or personal protective equipment (*USP Response to Shortages of Garb and Personal Protective Equipment (PPE) for Low- and Medium-Risk Sterile Compounding During COVID-19 Pandemic*).

Summary of factual data and analytical methodologies:

The Pharmacy Examining Board recognizes that, due to the COVID-19 public health emergency, there remains a shortage of personal protective equipment. As a result, the Board has determined that preservation of public health and safety necessitates an emergency rule that allows compounding personnel to use the pharmacist's professional judgment regarding the condition of personal protective equipment and its suitability for re-use.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

As the emergency rule would allow compounding personnel to use the pharmacist's professional judgment regarding the condition of personal protective equipment and its suitability for re-use, there is no anticipated effect on small business.

Fiscal estimate:

This emergency rule will not have a fiscal impact.

Effect on small business:

The emergency rule does not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone (608) 261-4472; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be submitted by the date and time at which the public hearing on this emergency rule is conducted. Information as to the place, date, and time of the public hearing will be published on the Legislature's website and in the Wisconsin Administrative Register.

TEXT OF RULE

SECTION 1. Phar 15.32 (5) is amended to read:

Phar 15.32 (5) When compounding personnel exit the buffer or segregated compounding area, a gown may be removed and retained in the ante area or segregated compounding area if not visibly soiled, to be worn again during the same work shift. Coveralls, shoe covers, hair and facial hair covers, face masks, eye shields, and gloves shall be replaced with new ones before re-entering the compounding area unless, in the professional judgement of the pharmacist, the items are suitable for re-use.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect upon publication in the official state newspaper, pursuant to s. 227.22 (2) (c), Stats.

(END OF TEXT OF RULE)

Dated January 12, 2021

Agency 

Chairperson
Pharmacy Examining Board

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|---|--|---|--|
| 1) Name and title of person submitting the request: Cassandra Walbrun | | 2) Date when request submitted: 2/17/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | |
| 3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board | | | |
| 4) Meeting Date: 3/4/2021 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Pending and Possible Rules a. Update on Rule projects | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required: | |
| 10) Describe the issue and action that should be addressed: 1.a. Discuss status of all pending rules. (table, pdf) | | | |
| 11) Authorization | | | |
| <i>Kassandra Walbrun</i> | | <i>2/17/2021</i> | |
| Signature of person making this request | | Date | |
| Supervisor (if required) | | Date | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date | | | |

Pharmacy Examining Board

Status Update on Rule Projects, 2/26/2021

| CH Rule Number | Scope Number | Scope Expiration Date | Rules Affected | Relating Clause | Synopsis | Stage of Rule Process | Date Scope Implemented |
|----------------|--------------|-----------------------|----------------------|---|---|-------------------------|------------------------|
| | 074-19 | 2/12/2022 | Phar 8 | Controlled Substances | Updates the requirements for controlled substances. | 08. Drafting rule. | 9/19/2019 |
| | 080-20 | 12/22/2022 | Phar 2 | Act 143 | Implements Act 143 to provide for reciprocity for service members, former service members and their spouses. | 09. EIA comment period. | 7/14/2020 |
| | 079-20 | 12/22/2022 | Phar 5, 6, 7, 11, 12 | Identified changes in 2019 biennial report and technical change | Address identified provisions in the 2019 s.227.29 report including name and address changes, floor design, procedures for disciplinary proceedings, superseded references, and a technical correction. | 08. Drafting rule. | 7/14/2020 |
| | 096-19 | 3/9/2022 | Phar 15 | Compounding | Phar 15 had a major revision which became effective on November 1, 2018. During the legislative review period, the PEB represented to JCRAR and three stakeholder associations that when the new USP 797 is published the PEB would monitor relevant USP compounding chapters and update Phar 15 so that it remains aligned with USP standards. | 08. Drafting rule. | 9/19/2019 |

| CH Rule Number | Scope Number | Scope Expiration Date | Rules Affected | Relating Clause | Synopsis | Stage of Rule Process | Date Scope Implemented |
|----------------|--------------|-----------------------|-------------------------|----------------------|---|---|------------------------|
| | 137-20 | 4/19/2023 | Phar 1, 6, 7, 8, 12, 13 | DSCSA implementation | This rule implements 2007 Act 20 as it relates to electronic track and trace, the federal Drug Supply Chain Security Act, and comprehensive update of manufacturers and distributor requirements. | 07. Scope approved by rule-making authority to implement. | 12/3/2020 |

Pharmacy Examining Board

Status Update on Emergency Rules, 2/26/2021

| EMR Number | Rules Affected | Rule | Stage of Rule Process | Synopsis | Scope Implemented | Rule Effective | First Extension Request Due to JCRAR |
|-------------------|-----------------------|---|---|---|--------------------------|-----------------------|---|
| EmR2105 | Phar 2 | Endorsement Licensure | 11. Public Hearing Scheduled for 3/4/2021 | This emergency rule will remove the multi-state jurisdiction examination requirement for applicants who hold a license in another state. | 12/3/2020 | 1/25/2021 | 5/21/2021 |
| EmR2102 | Phar 15 | Re-use of personal protective equipment (PPE) | 11. Public Hearing Scheduled for 3/4/2021 | This emergency rule will allow compounding personnel to re-use personal protection equipment based upon a pharmacist's judgment. Impetus: The Board has a variance waiving the requirement preventing the re-use of PPE another due to the COVID-19 epidemic. This rule will allow for re-use of PPE. | 12/3/2020 | 1/19/2021 | 5/14/2021 |

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|---|--|--|--|
| 1) Name and title of person submitting the request: Christine Poleski, Executive Director | | 2) Date when request submitted: 2/24/21 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | |
| 3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board | | | |
| 4) Meeting Date: March 4, 2021 | 5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6) How should the item be titled on the agenda page? Speaking Engagement Request: Pharmacy Society of Wisconsin (PSW) Virtual Event – Month of Advocacy-Pharmacy Examining Board Update - March 17, 2021 | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required: | |
| 10) Describe the issue and action that should be addressed: Executive Director will provide information to the Board relevant to this request. The Board should consider designating a member to present at the event outlined below: Event Title: Month of Advocacy Virtual Event-Pharmacy Examining Board Update Wednesday, March 17 - 11 a.m. to 12 p.m. https://www.pswi.org/Education/Conferences/Month-of-Advocacy Event Description: From rule updates to pandemic variances, tune in for an update on the Pharmacy Examining Board (PEB)'s recent and upcoming work. Potential Motion Language: "to designate <Insert Name> to speak on behalf of the Board at the PSW Month of Advocacy-Pharmacy Examining Board Update virtual event on 3/17/2021." | | | |
| 11) Authorization | | | |
| Christine Poleski | | 2/24/21 | |
| Signature of person making this request | | Date | |
| Supervisor (if required) | | Date | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date | | | |
| Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |